

**REMARKS**

Claims 28-39 are pending in the present application. Claims 1-27 and 40-43 were withdrawn from consideration. Accordingly, claims 28-39 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

***Claim Rejections – 35 U.S.C. § 102(b)***

Claims 33-39 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Oguro (US 5,907,656).

Applicant respectfully submits that Oguro fails to disclose or suggest at least “reading the cipher key from the auxiliary memory element,” as recited in claim 1. Oguro does not disclose the use of a cipher key. As known to those skilled in the art, “cipher key” is a term of art in the field of encryption, and Oguro does not disclose any encryption-related features. The SCMS data referred to by the Examiner on page 2 of the Office Action is not a cipher key. According to Oguro, “FIG. 23 is a schematic diagram showing a data structure of a memory integrated circuit (MIC).” Oguro, col. 3, lines 30-31. Oguro’s figure 23, however, does not include a cipher key. Since Oguro does not disclose a cipher key, Oguro also fails to disclose claim 33’s feature of “processing the data with the cipher key.”

Applicant respectfully submits that claim 33 is allowable over Oguro for at least the reasons discussed above. Claims 34-36, which depend from claim 33, are also believed to be allowable for at least the same reason as for claim 33.

Regarding claim 34, Oguro does not disclose or suggest “reading a first part of the cipher key from a first auxiliary memory element and reading a second part of the cipher key from a second auxiliary memory element in the tape cartridge,” as claimed. The rejection of claim 34 includes only a general reference to Oguro’s SCMS data. Applicant respectfully submits that Oguro does not disclose or suggest a first auxiliary memory element and a second auxiliary memory

element in the tape cartridge as recited by claim 34, and the rejection of claim 34 should be withdrawn.

Regarding claim 35, Oguro fails to disclose or suggest “wherein the act of processing the data includes encrypting the data from the host,” as claimed. Oguro discloses neither encrypting data nor a host. Similarly, regarding claim 36, Oguro fails to disclose decrypting data. Therefore, Applicant respectfully submits that the rejection of claims 35 and 36 should be withdrawn.

Regarding claim 37, Oguro fails to disclose or suggest “transferring data between the auxiliary memory element and the storage media,” as claimed. Oguro merely discloses “[w]hen an MIC cassette is inserted into a digital VCR, predetermined operations are carried out in accordance with the data stored in the MIC.” Oguro, col. 4, lines 62-64. Oguro does not disclose or suggest that data is transferred between the auxiliary memory element and the storage media.

Applicant respectfully submits that claim 37 is allowable over Oguro for at least the reasons discussed above. Claims 38-39, which depend from claim 37, are also believed to be allowable for at least the same reason as for claim 37.

Further regarding claim 38, Oguro fails to disclose or suggest “reading data from the auxiliary memory element; and writing the data to the storage media” for reasons similar to those given above for claim 37. Similarly, regarding claim 39, Oguro fails to disclose or suggest “reading data from the storage media; and writing the data to the auxiliary memory element” for reasons similar to those given above for claim 37.

#### ***Claim Rejections – 35 U.S.C. § 103(a)***

Claims 28-32 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Oguro (US 5,907,656) in view of Tsumagari et al. (US 6,360,057).

Oguro fails to disclose or suggest at least “writing the transformed data through an optical interface to the auxiliary memory element,” as recited in claim 28. Oguro merely discloses

“[w]hen an MIC cassette is inserted into a digital VCR, predetermined operations are carried out in accordance with the data stored in the MIC. These predetermined operations include . . . reproducing a still image (photo image) from a selected program.” Oguro, col. 4, line 62-col 5, line 1. Applicant respectfully submits that Oguro does not disclose or suggest writing the transformed data to the auxiliary memory element, as recited by claim 28. Furthermore, Oguro does not disclose writing data through an optical interface to the memory element, as recited by claim 28.

Tsumagari does not disclose or suggest “writing the transformed data through an optical interface to the auxiliary memory element.” Tsumagari fails to cure the defects of Oguro because Tsumagari does not disclose the features that Oguro does not disclose.

Applicant respectfully submits that claim 28 is allowable over Oguro for at least the reasons discussed above. Claims 29-32, which depend from claim 28, are also believed to be allowable for at least the same reason as for claim 28.

**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 249212022900. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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